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THE

PARLIAMENTARY OATH.

BY

EDWIN DE LISLE.

Hanc igitur video sapientissimorum fuisse sententiam, legem neque hominum ingeniis excogitatum, neque scitum aliquod esse populorum, *sed æternum quiddam* quod universum mundum regerat imperandi prohibendique sapientiâ . . . quæ non tum denique incipit lex esse cum scriptum est, sed tum cum orta est; orta autem simul cum mente divina.

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ARGUMENT.

To abolish the Oath is to divorce Religion from Morality. To divorce Religion from Morality is to sap the foundations of Society. To sap the foundations of Society is to prepare the downfall of England.

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THE PARLIAMENTARY OATH.

I.—THE OATH.

"Those called to any office of trust are bound by an oath to the faithful discharge of it: but an oath is an appeal to God, and, therefore, can have no influence except upon those who believe that He is."—*Swift.*

THE decision to which the Government have at length come was formally announced in the House of Commons on the 19th of February, when the Attorney General asked for leave to bring in a Bill to amend the Parliamentary Oaths Acts. The purport of this Bill is to enable not only men possessing no religious convictions whatever, but even those who may have committed themselves to the public profession

and propagandism of Atheism, to take their seats in Parliament, to legislate for the Christian people of Great Britain and Ireland. The occasion of the Bill is best described in the phrase already too familiar to our ears—the Bradlaugh difficulty. The 19th of February, in the year of grace 1883, may be said, therefore, to mark an epoch in the history of England. I speak of History in its highest sense, that sense which has been called the philosophy of history, that development of principle upon which the formation of law and character depend. On this twofold basis, the public law of the nation and the private character of individuals, a commonwealth is established. As these are modified, it ripens to maturity or decay. Whether the Bill shall ever become law depends upon the will of Parliament, influenced by the will of the people. But the will both of Parliament and of the people is determined by their grasp of first principles, subject to their just or unjust estimate of the circumstances under which these principles are called into action. Now the pro-

posed legislation involves the most fundamental question which can occupy the thoughtful mind; the necessary, contingent, or superfluous belief of mankind in the existence of a Supreme being, the Author of Creation, and the Archetype of all law. No serious writer will approach this subject without a grave sense of the responsibility which the workings of his mind may have in further obscuring or elucidating the truth. But a crisis has come. The arrogance of the few, misinterpreting the silence of the many, has forced it upon us. If the Government have been weak—I do not mean numerically, but mentally and morally—we must be strong. We are compelled to form a definite opinion, and to express it boldly. It is our duty to our country. The Government have taken up the cause of the Atheist, and they are no doubt prepared to face the issue. If party allegiance is to be used as a lever to cramp and cripple the moral freedom of the Liberal party, it is, of course, useless to discuss this question with a view to preventing the Bill from passing

through the Commons. But mental freedom cannot be crushed for party purposes. The Bill will have to make its way through the House of Lords, and there it will meet with unflinching opposition. It will be thrown out. In the meanwhile public opinion will have been aroused, and the moral sense of the country will have made itself known. If the falseness, the hollowness, the folly which surround and penetrate the principle of the Bill can once be made apparent to the intellect and conscience of the nation, the outraged convictions of the people will support the Conservative Lords. The wisdom of the Upper House will be again acknowledged, its stability more firmly secured. If, on the other hand, apathy weigh down the energies of those whose position lays upon them the duty of action, and the vital question is ignored or slurred over, a disintegrating force will be added to the downward tendencies, under the most favourable conditions inseparable from all human institutions, which have always been latent in the constitution. But we have already taken a step in

the direction of national disaster. We are measurably nearer to the abyss. It is therefore most opportune to call attention to the nature of the proposed change; to unmask the insidiousness of the attack, and to establish, on a firm basis, the reasonableness of the defence. I do not appeal to the passions, to the sympathies, to the sentiments of my fellow-countrymen. I would rather ask them calmly to consider the nature of things, to reason and wrestle with the mysteries of life, and, above all, to have the courage of their convictions. When reason has done its work, and the truth is clearly discerned, then let the nobler passions, the tenderest sympathies, and the loftiest sentiments, bring power irresistible to the will, lest right judgment suffer shipwreck and our country be involved in ruin.

Some will not follow me in what I have to say. I ask them to be patient and to read with attention. I am attacking no man personally, and no man's creed. It is the natural dignity of man, the foundation of all religion, indeed

the coherence of all reasoning, which is attacked and threatened with destruction. But it will be said there is no grave question of this nature involved; it is merely proposed to bring in a Bill to allow members of Parliament to affirm. It is a message of peace, an act of universal toleration. All these arguments about the nature of man and the knowledge of God are beside the mark. It is merely a matter of political expediency, the timely application of the principle of perfect religious equality to which we have long ago committed ourselves. This is exactly what I am going to investigate. I say it is a departure from the principle of religious equality. If it is not, by all means let the Bill pass. If it is, let us stay our hands until we fully understand what we are about. The principle of the Bill is tainted with falsehood and injustice. Without justice no law can stand; and without law, society must fall to pieces. In the course of this disquisition it will be necessary, therefore, to establish the proposition that the recognition of the existence of God is a *necessary* act of

right reason. I do not speak of the degree to which this knowledge may or can ascend. That would be to embrace the whole theory of justification, for "to know Thee, O God, is perfect justice, and to know Thy justice and Thy power is the root of immortality" (Wisdom xv. 3).

What, then, is the oath as it now stands? what is the system, or complex harmony of principles, which it postulates? and what is the practical purpose which it serves? These questions are not hard to answer, but I must take them one by one.

What is an oath? Is it an affirmation, negation, or promise, corroborated by the attestation of the Divine Being. The particular oath, which we are discussing, is the Parliamentary promise of allegiance to the Throne, corroborated by the attestation of the Divine Being. In the past it has been something more than this. It has been modified on several occasions, because of side issues involved in the extent of the spiritual jurisdiction claimed by the Crown, but at the present day it signifies no more than a promise

of fidelity to the Queen and Constitution, under Divine sanction.

What is the system or complex harmony of principles which it postulates? Those principles which have become the object of attack on the part of the disciples of the utilitarian view of life. I use *utilitarian* in the sense in which men like Bentham, Stuart Mill, or Herbert Spencer use it when they oppose their system to the principles which in former times were simply styled Natural Right and the Law of Nations; "that deep conviction which exists and has always existed in a greater or less degree among mankind, that there is an eternal and immutable law of right and wrong, blurred and obscured it may be, and concealed behind a cloud of human passion and error," — that this normal law of thought and action is discernible, and that it traces its origin back into the incommunicable, yet truth-communicating substance of God. Never has this simple yet sublime idea been set forth more clearly than it was by the great Cicero some two thousand years ago: "Hanc

igitur video sapientissimorum fuisse sententiam, legem neque hominum ingeniis excogitatum, neque scitum aliquod esse populorum, *sed æternum quiddam* quod universum mundum regerat imperandi, prohibendique sapientiâ . . . . Quæ non tum denique incipit lex esse cum scriptum est, sed tum cum orta est ; orta autem simul est cum mente divina." That this system of thought is rejected by many men of culture and scientific attainments at the present day, is only too apparent. If I wish to discuss the Affirmation Bill from this standpoint, I may be told: We look at things from different points of view, from a different basis entirely. This is exactly the misfortune of the case, for there is no other point of view worth considering if this be the true one, and no other basis possible if this alone has its foundations in undistorted nature. Most willingly do we concede that if this standpoint be abandoned, Mr. Bradlaugh has as good a right to a seat in the House of Commons as any other man not convicted of felony; but then on that hypothesis, it can be demonstrated with

mathematical certitude, that law and order have no longer any permanent and indestructible foundation. "My will is the soul and ultimate standard of right and wrong. My action shall be determined at my own pleasure, independent of all external considerations whatever except such as I choose to impose upon myself for my own convenience. I hold the power of life and death in my own hands, and I will exercise it at my own discretion." This is the immediate inference which robust minds will draw when they have abandoned that other basis which Cicero tells us had been the constant opinion of all really wise and learned men. We shall have made lawlessness the basis of the law.

The third question still awaits an answer. What is the practical purpose which the oath serves? It serves the purpose of excluding avowed Atheists *from* the Legislature; consequently it excludes the profession of Atheism *in* the House, and further by implication establishes a Divine sanction as the basis of the law. It happens in this way. The order of nature can-

not be altogether disturbed. We have no power over the immutable laws of creation beyond that which is pre-ordained. There is this one region where free will has power to banish the Divine concurrence—the mind and will of man. Where and when this is not done, the Majesty of God overshadows our actions. When men say they do not wish for His concurrence, the Almighty withdraws it. Sometimes He hides Himself altogether, for He is a hidden God. Then the unknown God is soon thought to be the unknowable God, and we no longer wonder that men should honestly say so, and even marvel at our surprise at their confessions of ignorance on this vital point. But the process of reasoning is not hard to discern. The philosophy of Agnosticism has been weighed in the balance, and found wanting.

The oath, therefore, as it now stands, is in its essence a Theistic Test Act, for it is a promise of allegiance to the Sovereign and Constitution, corroborated by the attestation of the Divine Being, the Alpha and Omega, the Beginning and

the End of all things. It postulates what may be called the Theistic view of life, or, in other words, a more or less perfect belief in the Providence of God; and it serves the purpose of excluding the professors of irreligion and blasphemy from the high and far-reaching position of trust and power, which the gradual development of our laws and institutions confers upon Members of Parliament. It will be observed I only treat of openly avowed Atheism. *De internis non judicat lex.*

It is proposed to abolish this oath, to substitute a *solemn* affirmation. The graver minds, it is hoped, will be reconciled by the insertion of the word "solemn," as if we could make an act solemn by calling it so. Divest life of its relation with the Infinite Majesty, the holy and terrible Name, and man can but make himself ridiculous when he talks of solemnity. Why, what says the poet?

> Be this truth eternal ne'er forgot,
> Solemnity 's a cover for a sot.

Or perhaps it is as good to be affectedly serious

as really so? Says Swift: "When Steele reflects upon the many solemn barriers to our succession, of laws and oaths, he thinks all fear vanisheth: so do I, provided the epithet *solemn* goes for nothing; because though I have heard of a solemn day and a solemn coxcomb, yet I can conceive no idea of a solemn barrier." This Sisyphean task is what some wise men of the west are setting themselves to do, to erect inane solemnities to a generation which denies the essence of all solemnity! "There are," as Bacon remarks, "in points of wisdom and sufficiency, that do nothing or little very solemnly."

II.—THE ATTACK.

> You 're not oathable,
> Altho' I know you 'll swear
> Into strong shudders the immortal gods.
>
> SHAKESPEARE.

THE Parliamentary Oath is now on the defensive. Who are the attacking party, and in what does the apparent strength of their position consist? Those who wish to abolish the oath may be divided into three classes; some who hate the oath, whether it be right or wrong, and are indifferent to this view of the matter; some who honestly believe it to be a mistake, and therefore wish to remove it as an anomaly; and some who, although they believe it to be a salutary institution, and in a more perfect state of society

would welcome its survival, yet under the circumstances in which we live, and the confusion of ideas which abounds on every side, do not see their way consistently with what they have already accepted—possibly with an interior protest—to oppose it any longer with any reasonable hope of success. Judging from the general tone of society, it would appear that very many men of high principle and sound information belong to these two latter classes. To their unprejudiced and calm consideration this argument is primarily devoted. It is not to be expected that any attention will be given to this subject, treated dialectically, by those who have already made up their minds that Religion is the supreme madness, and that it must be eradicated from the hearts and minds of men *coûte que coûte*. Neither can one be sanguine that arguments drawn from the nature of things will have much influence with those who have already accepted the Philosophy of Evolution. In that system everything seems to be subject to boundless permutation; Cause and Effect are

interchangeable terms; and æons of ages are called in, as fancy dictates, to give an atmosphere of possibility to assumptions which might otherwise seem utterly contemptible. We stand upon different ground, and the enthusiasts for the perfectibility of protoplasms will probably refuse to come within the circle of metaphysical thought. Still they cannot altogether escape, for this controversy is based upon the very nature of man, the immutable laws of the universe, the origin of ideas, and the incontrovertible—*salva ratione*—necessity of certain truths. Those with whom I hope to be allowed some serious discussion are men who are at least Theists and believers in Providence; and yet, for a multitude of reasons best known to themselves, seem no longer able to distinguish between the latitude due to honest speculation, the doubts and misgivings of patient searchers after truth, and the reckless arrogance of positive proselytising unbelievers. It is not, therefore, to the leaders of the attack that I address this dissertation, nor to those who really sympa-

thise with it, but to men who give the movement a half-hearted support, who suffer it rather than help it on; to those also who are determined to have no part in it, and, as much as may be in their power, to oppose it at every stage of its progress towards victory. The boast of the "Times" newspaper, that the end of the struggle is just as certain as if the end had already come, carries no weight with us whatever. If evil is to be done, and sooner or later the sum total of human misery increased, it would be but grim satisfaction to us to know that we had had a hand in the work. *Quod justum non quod utile.* Our convictions have stood the test of ages; they have remodelled society on more than one occasion, when civilisation seemed to be on the point of falling to pieces, and they will do so again. If it be true that the existence of moral ideas is in jeopardy at the present day, it is because of the attempt which is being made to divorce the religious instinct from that most common of all distinctions, which men will always make in spite of

every scientific protest, the distinction between right and wrong. With Mr. Gladstone in his "Homer" (vol. ii. p. 420) "I ask permission to protest against whatever savours of the idea that any Socrates whatever was the patentee of that sentiment of right and wrong, which is the most precious part of the patrimony of mankind. . . . It is when religion and morality are torn asunder, that the existence of moral ideas is endangered." But what is the proposal to admit men to Parliament, without requiring of them to corroborate their promise of allegiance by an oath, but to tear religion and morality asunder to admit that a man may be a trustworthy and prudent legislator, when he makes blasphemy his own pet mark of distinction? It must be a weak-brained generation that shirks the elementary question involved in this dispute. It may be said that the Theistic position was abandoned when Quakers were allowed to affirm and so take their seats. On the contrary, their affirmation strengthens this position. Their peculiar tenets may be admitted to deal a blow at

the reasonableness of Christianity, at the harmony which must exist between Faith and Reason—unless Faith be a lying imposture—for they deny the lawfulness of an act, which men at all times and in all places have found to be most salutary. Cicero puts this on record in these words: "Utiles esse autem opiniones has quis neget, quum intelligat quam multa firmentur jure jurando, quanta salutis sint fœderum religiones? quam multos divini supplicii metus a scelere revocaverit? quamque sancta sit societas civium inter ipsos diis immortalibus interpositis tum judicibus, tum testibus?" ("De Legibus," ii. 7). Nevertheless, the Quaker's plea for not swearing by an oath is that, according to his reading of the Divine law, it is not lawful to swear. His affirmation is therefore a solemn act, and implies the recognition of the Almighty as the fount and origin of all just legislation. But, it is urged, this is not Mr. Bright's opinion. He thinks that any man should be allowed to affirm, no matter what his reasons may be for wishing to do so. Mr. Bright was understood

to have expressed himself imprudently, when there was a question of employing force as a desperate remedy for a desperate state of things in Ireland. We are not necessarily in the dark, because Mr. Bright's usually luminous mind sometimes suffers partial eclipses of the ratiocinative faculty. As Cardinal Manning most justly said in his "Englishman's Protest," he could not imagine George Fox would have accepted the conclusion of his distinguished follower.

The strength of the oaths abolitionists consists, therefore, in a *petitio principii*, viz. that irreligion and the negation of all religion are really forms of religion, modifications of the religious instinct as they call it, and, as such, entitled to all the privileges which are now given to all men of all forms of religion in the sacred name of Religious Liberty. In a certain sense it may perhaps be admitted that irreligion is a form of religion, the negative, directly opposite form; in the sense in which to break or ignore a bond is a bond-act, just as much as to keep a bond is

a bond-act; or in the sense that to get drunk or remain sober are the same act with regard to drinking alcohol, or in the sense that love and hatred are modified uses of the same faculty; but no man, not mad with passion, will confound the distinct natures of the two. If it be said, that as all men have something in their nature which is expressed under the symbolic term *religion*—according to Evolutionists a certain physical quiddity, most irrational indeed, yet known to experience—which takes, for instance, one form in David and another in Saul, as it did one in Peter and another in Ananias, I admit the cogency of this reasoning. It is but a novel way of admitting that man cannot divest himself of his rational nature without becoming unreasonable, for it is the inevitable tendency of the human mind to find solace ultimately either in devout worship or in outspoken blasphemy. The states of doubt and uncertainty, and even of that silent unbelief, possibly expressed *sotto voce*, yet preserving some respect for the opinions of others, are all states of compromise, of tran-

sition. As the sense of morality, the law of duty between man and man, can be gradually attenuated till it ceases to exist, and a man proclaims himself an Anarchist; so can the sense of religion, the law of duty between man and God, faint gradually till it finally disappear. When this consummation is accomplished, truth will out, blasphemy is heard: "There is no God." When I said *truth*, I did not forget the distinction between subjective and objective truth. One is fact, the other error. To deny, therefore, with publicity the existence of God is the supreme act of human presumption and folly, and the boldness of this arrogance is to be made the occasion for altering the fundamental principle of the Constitution, the conditions under which, according to law and prescription, a man may lawfully take his seat in the Legislature! Verily, wisdom is tottering on the brink of the precipice, the jaws of hell are open to receive her mangled carcass. If this be Liberalism, God help the coming generation!

This is the philosophical error which is at the

bottom of all the plausible arguments, which appear from day to day in the most talented journals in support of the course to which the Government, in an evil day, have been persuaded to commit themselves. Lest I should be thought to be misrepresenting, I will enumerate the more important of these plausibilities as they were set forth in a leading article of the "Times" newspaper on the 19th of February last. The next chapter will be devoted to their refutation.

"The object of the Attorney General's Bill is to redress an accidental grievance, to prevent the Parliamentary Oath from serving a purpose it was never intended to serve, and which in the present day it cannot be permitted to serve. The arguments which were used on a former occasion, when the admission of Jews to Parliament was under debate, are equally to the purpose now. Religious beliefs and disbeliefs are no proper cause to justify civil disabilities. A law which excludes men from Parliament on account of their religious beliefs

or disbeliefs is a minor form of persecution, and persecution in any form stands condemned by the judgment of the present age. The whole matter has been settled in principle over and over again. The repeal of the Test and Corporation Acts, the admission of the Roman Catholics to Parliament, the admission of Jews to Parliament, were, in effect, so many affirmations of it. Religious tests of every kind have been thus repeatedly pronounced as indefensible as they are worthless; indefensible, because they are a violation of religious liberty and of the rights of private conscience; worthless, because they affect only the more scrupulous members of the class to which they apply, and are thus of no avail whatever against the very persons whom their imposers would wish to reach. But Mr. Bradlaugh, it will be said, is waiting to take advantage of a change in the law. He it is whom the Attorney General's Bill will admit to take his seat in Parliament, and a Bill with such results, and perhaps so motived, must be opposed and defeated at all hazards. . . . He

has been chosen to represent the electors of Northampton, and the electors of Northampton have a right to his Parliamentary services. . . . The object of the oath is to insure a truthful and *ex animo* profession of allegiance to the Sovereign. If this can be secured without it, the object of the oath is at an end, and the imposition of the oath is indefensible. Now, to allow a man to affirm in a court of law, and to refuse him permission to affirm on taking his seat in Parliament, is so inconsistent as to be absurd. The statement in a court of law may be on a matter of the utmost importance. Life and property may be affected by it. The Parliamentary statement is on a matter of mere form. Allegiance to the reigning Sovereign is to be assumed as a matter of course in all members of the Legislature, loyal and disloyal alike. The oath is not required to insure the truthfulness of their declaration, it is no constitutional safeguard, and we should lose nothing by ceasing to exact it as such. The one purpose it serves is to exclude men who have, or who

profess to have, a conscientious objection to take it, or about whom other people have a conscientious objection to allowing them to take it. . . . But our most real concern is that in the squabble which has been raised about Mr. Bradlaugh's claims, Mr. Bradlaugh has been substantially in the right, that he has been unjustly excluded from taking a seat which belongs to him, and that the grounds of his exclusion are not such as his most reasonable opponents would seek to justify on their own account, or would consent now to create. As far as he has been a victim in any sense, he has been the victim of an obsolete law, which has, we cannot doubt, been set aside and disregarded a dozen times over by men, who have not had Mr. Bradlaugh's motive for making themselves a centre of discussion, or Mr. Bradlaugh's indifference to the good opinion of their fellow men."

Here ends the oracular teaching of the "Times." Let us strip it of the ornamental phraseology in which it is so attractively clothed, that the natural proportions, and symmetry if there be

any, of this model of modern thought may be examined, measured, and appreciated in their nude simplicity. Under these normal conditions, beauty or ugliness, truth or falsehood, may be easily discerned.

Before proceeding to this interesting occupation, it will be well to clear the ground of a possible misunderstanding. It is quite true that Mr. Bradlaugh is a typical man, and that, in the eyes of most men, the dispute will take a concrete form. The many, by the necessity of their education, and the circumstances of their professions, are not used to abstract studies and universal propositions. Neither do they care for metaphysical reasoning, or *a priori* arguments. To them the simple question is: Shall we let Mr. Bradlaugh into the House of Commons, or shall we not? The easy-going, good-natured member for Plutopolis shrugs his shoulders and says: " 'Tis an awkward business. We are tired of it. We 'll let him in. It will make an end to all this fuss and hubbub. He will no longer hold that position of notoriousness

into which we have unwittingly thrust him. We have not made him celebrated, that is true, but he ought not even to be notorious. He must be effaced. After all, what does it come to? It does not make us all Atheists, if we let one man of that persuasion in. There are some of them, probably, there already. He will soon find his own level, and sink into insignificance." This seems to be, I submit, the language of one who would justify to his conscience what does not meet with its spontaneous approbation. It is the language of compromise. Now, as long as two different thirds of a nation are pretty evenly balanced, one holding one set of views and another another, the remaining third can live without attaching itself definitely to either party. But it is evident that if one party give up its views and line of action, the party of compromise becomes the extreme to which the other is opposed. Consequently, a new middle term will have to be found for those whose political leanings are found to gravitate towards eternal compromise. Thus it happens that one generation begins

where another left off. We are discussing the admission of one Bradlaugh. Those who come hereafter may be asked to decide whether any man, who is not a Bradlaugh—I speak metaphorically—shall be permitted to take his seat in the Legislature, so absolutely certain is the working of events from principles once established in a community. But I do not wish to argue the case of Mr. Bradlaugh. If the law is not tampered with, his case will be sufficiently taken care of. It is the oath we defend, and, indeed, on those very grounds of which we are told "that they are not such as his most reasonable opponents would seek to justify on their own account, or would consent now to create." I venture to believe that the vast majority of the English people would, if they could have the opportunity of expressing an opinion on the merits of the case, with full understanding and deliberation, do the same. They would answer almost unanimously: We do not wish the law to become obsolete. We will not have the Atheist to legislate for us. We know the

inevitable tendency of such legislation, and if for ourselves we might be indifferent, there is something we hold more sacred than political expediency (*sic*), and that is, the peace of our homes, the honour of our wives and daughters. We know whence it comes, whither it tends, and how it is preserved, "For the Lord hath made all things, and to the godly He hath given wisdom."

III.—THE DEFENCE.

"If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word."—*Numbers* xxx. 3.

THERE are many ways of repelling an attack, and there are three stages at which this may be done. The most effective is to forestall the event altogether, to annihilate the enemy, and to prevent the attack ever being made at all. The next is to harass and obstruct every movement, till the enemy give up his design from sheer disgust and weariness of expectation. The last is, when victory is almost won, and defeat all but certain, to make one supreme effort, to rise with the almost super-human strength of an heroic soul driven to desperation, and hand-to-hand in the throes of agony

to wrestle with death or victory. In the present conflict we are at the second stage. The promoters of the Bill may yet be wearied and worried into abandoning their purpose. This does not sound like a generous policy, but it is that which they themselves have begun. They might have left Mr. Bradlaugh alone, and the laws and customs of the land would have been safe in the keeping of our responsible officers. But, with the unrest of Radical tendencies, they have elected to do otherwise. They are innovators; we are in possession; nine-tenths of the law is on our side: one-tenth more of manly energy, and unyielding courage, and the Constitution will be saved. If they will not meet us on our own ground, if they will not look at things from our point of view, we can at least examine them from their point of view. We can test the consistency of their position. If their arguments can be shown to rest on false hypotheses, and their conclusions to be but the graceful embodiment of vulgar fallacies, a blow

will be struck in the right direction. I do but postulate one thing, and that no reasonable man will deny. It is this: that truth is discernible; if it is not discerned, the fault is in the mind discerning, and not in the thing to be discerned. It is a very simple fact, so simple as to seem almost unworthy of notice, and yet no fact seems so often to be ignored, as this simplest of truisms: that where men differ upon any given subject, all may be wrong, but only one right; and where men agree, all may be right, or all may be wrong. Truth is like the bull's-eye of a target. We all aim at it, but we do not all hit it. If we do hit it, we all meet on the same point, but to hit or to miss is the relation between our shooting and the centre. Truth is, therefore, only attainable if it be an objective reality. It is not a matter of opinion. It is a fact, the identity of the subjective perception with the external thing which is apprehended; it is our conviction of the ultimate realisation of this subjective and objective order of things, the

harmony between the mikrokosmos, that is, the diminutive world in a man's brain or intellect, and the makrokosmos, that is, the universe of which he and all other men, and the unseen world of spirits, form a part, that inspires us, as it did the sage of old: *Magna veritas et prævalebit!* To use emphatic language which has been heard before, let us smash and pulverise the "Times'" propositions.

"The object of the Attorney General's Bill is to redress an accidental grievance, to prevent the Parliamentary oath from serving a purpose it was never intended to serve, and which in the present day it cannot be permitted to serve."

The Parliamentary oath cannot be allowed to serve a certain purpose. What is this purpose? The exclusion of avowed Atheists from Parliament. This cannot be permitted at the present day. By whom, pray? By the Christian people of England and the Catholic people of Ireland? or perhaps the phrase stands only for the Liberal party? But the Liberal party sometimes change their policy, and they profess to bow to the

will of the people. If the people protest "We will not have the Atheist to rule over us," the Atheist will have no part in the making of our laws. But have the people ever been consulted on this point? The Liberal party dare not face the country on such an issue.

The object of the Bill is to remove an accidental grievance. If the grievance was, and is still intended by the nation, it is not accidental, but premeditated and intended. If it is serving a purpose it was never intended to serve, it is accidental; but if it is only serving that purpose it was, and is intended to serve, it is essential. I will prove that the Oaths Acts, as they stand, serve the main purpose they are intended to serve. I appeal to facts of to-day and of history. The main facts of a history so recent as that of England have still survived the axe of modern criticism. Now for a fact of to-day. Is it not evident that if the Oaths Acts were not fulfilling their intended purpose, they would already have been swept away? The fact that they have at length been brought under discussion

shows that people are only now beginning to waver in their opinion about the purpose they serve. In the past this was certainly not the case. Here is the proof. We must go back a long way, to the days of Alfred the Great and Magna Charta. At that time there was strict union of Church and State. Christianity was the law of the land. Canon law might almost be said to have been the basis of civil and criminal law; the first social axiom was that no man could be a good citizen unless he acknowledged the sovereignty of the Most High. No affirmation of loyalty would have been accepted except under the sanction of an oath: an oath implied a belief in the Christian revelation as laid down by teachers of the Church in communion with the Bishop of Rome, the acknowledged spiritual head of Christendom. No man was thought fit even to advise his Sovereign, who set at naught the law of God. The Church claimed to be the exponent of that law. The State acknowledged and acted upon this claim. Consequently all who openly rejected the teaching of the Church

were excluded from the counsels of the nation. Later on, at the Reformation, when the supreme jurisdiction in matters spiritual was transferred from the Pope to the King, the ancient oath was converted into a Protestant Test Act, so as to exclude all who remained faithful to the old religion. But the principle of private judgment having been applied to the Scriptures and the deposit of the faith, it was found at length to be antagonistic to this state of things. The Test and Corporation Acts were repealed. Dissenters were admitted. As public opinion advanced in the spirit of toleration, Roman Catholics were again allowed to take their place in Parliament. Jews became eligible. Lastly, Quakers were allowed to affirm, on the basis that they held it to be contrary to the teaching of Christ to swear at all. All these modifications of the oath are surely recognitions of the same principle, that a belief in the sanction of the Eternal Lawgiver is the necessary foundation of all wise and just human legislation. This was the primary purpose the oath was intended to serve. It was not acci-

dental ; it is essential, the foundation-stone of the whole superstructure of English Law. It is only a grievance to the avowed Atheist. In a certain sense we wish it to remain a grievance. Atheists are a grievance to us, or rather their Atheism is. We tolerate it, but we do not intend it to have any part in our legislation. It has yet to be shown that it can be permitted.

But even the Atheist ought not to have a grievance. He has none in reality. Now what is a grievance? A grievance is the limitation of a right, not surely the prevention of a wrong. But as all men claim substantially equal rights, and the same rights,—I exclude what may be called accidental rights, or privileges, from this part of the subject as irrelevant—the rights of one man must be limited, in so far as they may clash with those of another. Consequently a grievance is something more than the limitation of a right. It is an unnecessary or unjust limitation of a right; in other words, a wrong. But if Atheism can be proved contrary to nature, then the rights of Atheists, in so far as they may be

based on their Atheism, are based in something unnatural. But all rights depend upon nature; therefore no man, *quâ* Atheist, has any rights whatever. His rights are based in his nature, not in his Atheism—rather, his Atheism is a condition of forfeiture.

Let us again be careful to prevent a misunderstanding which may arise in the minds of some readers. Because many are conscious of doubt, of real perplexity and confusion of mind with regard to the ultimate problems of life, are they also to be included under the term Atheist? Such a conclusion would be as unfortunate as it would be unfair. To go no farther, would it not be an act of presumption, as well as ignorance, so to prejudge any of our fellow-men? To be a doubter, that is a sceptic, is not a final state. It is a necessary phase of independent, painstaking thought, crystalizing the impressions of early days, and the experiences of life into solid ripened convictions. Some, it is true, never get beyond this state, and remain more or less confirmed Agnostics. They say the problems of the invisible world

are beyond our ken. But this is not of itself a defiant attitude; a speculative error, no doubt, and every man must be left to his own lights. But the case of the proselytising Atheist is far different. He is a dogmatiser; he preaches a positive doctrine, although it is embodied in a negative proposition, "There is no God." He contradicts the all but unanimous testimony of all men of all ages; certainly of all those who have been distinguished for the sacrifice of their own ease and comfort, that they might be of service to others. The conscience of the nation abhors such a man, shrinks with dismay at the fatuity of his presumption. It does not recognise his grievance; rather, it grieves for such blindness of intellect and hardness of heart. It cannot be supposed that serious weight is to be attached to the enthusiasm of a few rowdy roughs, who do not understand what they are about, except that they are troubling those in authority. It is false then to say, that, because we are pledged to the principle of religious liberty, we cannot draw the line at openly professed irreligion and blasphemy.

The very idea of God, of the Almighty, is "He that is," the Self-existing, Absolute Being, and the Atheist gives the lie direct—He that said "I am that I am," is He that is not. Let it be clearly understood. If the denial of the existence of an intelligent First Cause, endowed with every attribute, in an infinite degree, of which we have any cognizance here on earth, in this matter-of-fact nineteenth-century world of ours, if the Being of the Eternal, Almighty, Omniscient God, can be denied without an absolute abuse of right reason, I do not say doubted, but His non-existence positively proclaimed, the Atheist has as much right to his opinion as we have to ours. But then there is nothing certain, nothing good, nothing holy. All authority is tyranny, all government a selfish imposture. Truth, chastity, justice, patriotism, public spirit, philanthropy, are all shams, worthy of the intellect of a weather-cock rather than of an animal that is conscious of pleasure and pain. We are all fools, utter, absolute fools; but the cunning rascal, who gets most fun at the expense of

others, and with profit to himself, is the best man amongst us. God is our belly.

We will now proceed to the second proposition: "Religious beliefs and disbeliefs are no proper cause to justify civil disabilities. A law which excludes men from Parliament on account of their religious beliefs or disbeliefs is a minor form of persecution, and persecution in any form stands condemned by the judgment of the present age. The whole matter has been settled over and over again. . . . Religious tests of every kind have been repeatedly pronounced as indefensible as they are worthless."

Here again is the *petitio principii*, with which I have already dealt in examining the strength of the Oaths Abolitionists' position. Religious beliefs and disbeliefs are, indeed, no proper cause to justify civil disabilities. This principle was sanctioned by the repeal of the Test and Corporation Acts, and by the admission of Roman Catholics and Jews to civil rights. But in what sense is this principle established? Surely in the natural sense, that one religion

is to have no advantages over another; equal liberty, and fair play to all. Religious disbeliefs surely means the repudiation of religious doctrines—the denial, for instance, of Transubstantiation, or even of the mystery of the Atonement, but it was never contemplated that it might include the denial of all religion. (All this is merely on the hypothesis that it is lawful openly to deny the Christian religion, which is undoubtedly not the case.) Where there is no religion, how can there be a question of *religious* disbelief, or *religious* liberty, or anything else conceivable to which the adjective *religious* can in any possible way be made to apply? The word irreligious quickly finds itself at home no doubt; but then the plausible argument, to be valid, should run thus: "Religious beliefs and disbeliefs, irreligious affirmations and negations are no proper cause to justify civil disabilities." When that matter has been settled, then the introduction of the Affirmation Bill will have been justified. To talk of religious liberty when a man laughs to scorn the very idea and possi-

bility of religion, is to throw dust in our eyes. It is trifling with common sense. It is outraging the reason of mankind. Because we are committed to the principle of the absolute freedom and equality of all religious beliefs, to say that we have granted equal freedom to evident trash, if it call itself religion, or to no-religion, that is to a thing non-existing, is either to talk nonsense or to utter an abominable quibble. When men are so inclined, it is easy enough to obscure the understanding with captious reasoning, and sometimes we are victims of this sort of hypocrisy without the slightest suspicion on our part. Let every man therefore think for himself. "Prove all things, hold fast that which is good." To say that a man can wear what clothes he likes, that all costumes are lawful if not fashionable, does that give him leave to run about the streets naked? It is not difficult to understand the real meaning of religious liberty. Between something and something else, it is possible to choose. There is a relation. Between anything and everything there is room for de-

liberation; but between anything or everything and nothing, there is no relation. One of the terms is wanting. It is nothing, absolutely nothing—Nihilismus. This theory applied to practice generates anarchy. But what is the use of reason if we are not to understand, and penetrate into the nature of things? "Felix qui potuit rerum cognoscere causas, atque metus omnes, et inexorabile fatum, subjecit pedibus, strepitumque acherontis avari!"

But it is urged that "to exclude a man from Parliament because of his religious opinions is a minor form of persecution, and persecution in any form stands condemned by the judgment of the present age." To obviate further cavilling, let us say boldly, and challenge contradiction,—No man is prevented from taking his seat in Parliament because of his religious opinions. It is the utter absence of religious opinions which disqualifies him. There is a minimum of religious belief required to enable a man to enter the Legislature, and that is a real or assumed belief in the providence of God. A maximum of irre-

ligion and blasphemy does not create this qualification. The Constitution has not as yet been so radically destroyed as to leave no valid cause to apply to the point in dispute the words of Swift: "Those called to any office or trust are bound by an oath to the faithful discharge of it; but an oath is an appeal to God, and therefore can have no influence except upon those who believe that He is." This matter has, indeed, been settled over and over again, but always in the affirmative. Religious tests have in one sense been swept away. The Catholic character of the Commonwealth was blotted out at the Reformation; its Christian element is all but obliterated; but the Divine sanction has not yet been rejected—the Natural Law, which arose, as Cicero says, when it was first established, that is, simultaneously with the Creative Mind. This *æternum quiddam* is still the basis of the law. It is our privilege to protest against its removal. This kind of religious test must commend itself to the universal conscience, to the common understanding. It is only when the

real bearings of the case are obscured, and the true significance of the proposed change distorted by the use of superficial and careless language, that it is possible to hesitate. An oath which serves the purpose of a Theistic test, is only indefensible in the sense that there is nothing really to be said against it. The plain truth is, that tests are defensible as long as they express the well-ordered convictions and ideal of a people. When all the civilised world was Catholic, there was no injustice in Catholicism being a *sine quâ non* of qualification for offices of trust. If ever a Theistic test ceases to be justifiable, it will be when the creature has altogether repudiated his Creator; when the tradition of truth is utterly extinct; when all the secrets which tend to harmonise life, and make existence desirable, are lost; when we have ceased to be rational men; when we return to that blissful state of apehood from which some would have us believe we derive our noble origin. But this is forecasting a state impossible to contemplate with an even mind. Besides, it

is unnecessary to do so, for we have authority not to look forward with dank and drooping spirits: "For the gifts and calling of God are without repentance. For as in times past ye have not believed God, yet now have obtained mercy through their unbelief: Even so have these also now not believed, that through your mercy, they also may obtain mercy. For God hath concluded them all in unbelief, that he might have mercy upon all" (Rom. xi. 29).

The most extraordinary of all the arguments which have been used against the oath is the one we are now about to consider. It needs only to be mentioned, to fall of itself into pieces. "This Theistic test is a violation of the sacred rights of conscience."

Now what is conscience? It is the knowledge or faculty by which we judge of the goodness or wickedness of ourselves. As Swift luminously remarks: "it signifies that knowledge which a man hath of his own thoughts and actions; and because, if a man judgeth fairly of his actions by comparing them with the

law of God, his mind will approve or condemn him, this knowledge or *conscience* may be both an accuser and a judge." Practically, consciences differ, but that is owing to the gradual process by which the moral standard is formed in the intellect. "There is the erroneous," says South, "as well as the rightly informed conscience; and if the conscience happens to be deluded, sin does not therefore cease to be sin, because a man committed it *conscientiously*." It is the *æternum quiddam* of Cicero, the *vox Dei* of the mediæval theologian, the *categorical imperative* of the Critical Philosophy, to which all men appeal. The Atheist alone votes himself out of it. If there is no God, *ipso facto* there is no conscience. Again, it is the tuning-fork which harmonises or convinces of discord the law of God and the conduct of man. Not that any man is ever absolutely deaf to this voice. What says Juvenal:

> Why must those be thought to 'scape, that feel
> Those rods of scorpions, and those whips of steel
> Which conscience shakes?

Some now try to make out that conscience is an improper term for expressing the sum total of personal idiosyncrasies, and that there is no external law. It is a personal sense of expediency which is the categorical imperative. This is another way of saying that wilfulness is the sole standard of human conduct. Who shall distinguish between wilfulness and lawlessness? We have heard assassination called the wild justice of revenge, and men are sometimes so inflamed with passion as to act upon this assumption. But when passion cools down and reason is again able to speak, conscience prompts the word: "Thou shalt do no murder. Revenge is mine saith the Lord." There are others, again, who at times seem to consider everything they think and do must be right. They are infallible popes unto themselves. In these cases, the common sense of mankind appeals, as Luther thought he was justified in doing, "a papa malo informato, ad papam melius informandum." How can an appeal to God, therefore, be a violation of the sacred rights of conscience?

Akin to this subject is the phrase: "No man has a right to inquire into another man's religious opinions. The most solemn questions of religion have been dragged into this controversy, it is complained, by the mistaken feelings of good men or by the calculation of partizans." The "St. James' Gazette" of March 1st, dealt triumphantly with this complaint, under the heading *The Cant of Unbelief.* How can a man, in one and the same breath, deny the possibility of religion and claim the privileges which flow from religion? He writes or says in public that all religions are loathsome, that Christianity is the bane of civilisation. Then he is asked if he is an Atheist. He draws himself proudly up, and denies the right of any man to inquire into his religious views, and has nothing but scorn for the unfair controversialist who seeks to cast obloquy upon him because of them. Does he mean that his views upon religion are really shameful, his irreligious views, only that it is not always convenient to show them in public when his advancement may be at stake? We

thank the "St. James' Gazette" for this timely exposition.

"Mr. Bradlaugh, it will be said, is waiting to take advantage of a change in the law. That is sufficient reason for letting it alone." This is thought by some to be an unwarrantable conclusion. Why, indeed? I may be allowed to ask. Because Mr. Bradlaugh has gone out of his way to outrage the religious and moral convictions of his countrymen? Because Mr. Bradlaugh has insulted and defied the authority of the House of Commons? Because Mr. Bradlaugh is supported by an occasional mob who do not understand the principle at stake, but care only for a "jolly good row"? Because Mr. Bradlaugh has been chosen to represent the electors of Northampton, and the electors of Northampton have a right to Mr. Bradlaugh's Parliamentary services? This last assertion requires some little investigation. It is not true that the electors of Northampton have a right to Mr. Bradlaugh's Parliamentary services. They may elect whom they will, but it does not follow

that he is therefore qualified to take his seat. A man is not competent to take his seat, if he is unoathable. He is not oathable unless he believes in God. Said Shakespeare with prophetic vision:—

> You 're not oathable,
> Altho' I know you 'll swear
> Into strong shudders the immortal gods.

If the electors of Northampton determine to return as their Member a priest, or a representative Peer, or a woman, or an idiot, or a bankrupt, or a convict, can he take his seat? Certainly not, because by the laws of the country such persons are not qualified. Away then with the rubbish that the will of a majority of the people of Northampton (and there is a most worthy and considerable minority in opposition to them) can override the laws of the Kingdom, the will of the Nation. There are many ways out of the Bradlaugh difficulty. It seems unfortunate that the Government should have hit upon the least effectual; one that will keep the difficulty an open sore. It is a sorry way to get rid of one dilemma if we immediately find

ourselves involved in fifty new ones. The hydra was not killed when one head had been chopped off. The simplest way by far to relieve the country of this tedious business would be to pass a short Bill declaring Mr. Bradlaugh for ever ineligible to Parliament. There are precedents enough for such a course, and reasons enought to justify the creation of one more precedent. Then let the Government, gracefully, and with becoming modesty, withdraw their Affirmation Bill. Mr. Gladstone's many admirers, who are jealous that his good name should be handed down with honour to posterity, would welcome such a solution of the painful position in which they regret to see so venerable and earnest a statesman placed. Fate would be too unkind to allow the youthful champion of Church and State, the indignant opponent of the Vatican Decrees, sink at last into the grave under the shadow of the Atheist's Affirmation Bill. We trust this shall never be. Those who do not love him, would call it Nemesis. What then will Mr. Gladstone do? 'Tis a fearful

thing to hold such mighty power when a vital question of this grave nature is under discussion. It is a turning-point in English History, in the history of the world. We have France, a prey to every evil, at our side as a warning. If we fail in the moment of trial, we are inexcusable. Mr. Bradlaugh's fortunes, of course, are not of very grave moment. They concern himself and a handful of friends, and that is all. But what is of vital importance is the principle at stake. The far-reaching consequences of such a new departure in legislation is, at this moment, receiving fresh illustration from the stir, which the infliction of a year's imprisonment, for outrageous blasphemy, has excited in the daily press. The judge naturally based his decision on its only tenable basis. He expressed his grief that a man, evidently endowed with no mean share of intelligence and ability by the all-dispensing hand of God, should have prostituted these talents in the ignoble service of the devil. Immediately an attempt is made to explain away this basis of the law. He is not

punished for his opinions, or even for acting upon them. "Every individual," says one of the public instructors, "has perfect liberty to hold what opinions he chooses, and to exercise or fail to exercise, just as he pleases, the rights connected with these opinions." I suppose, if I adopt the opinion that the patriarchal system of life is the best, and, under pretence of imitating our remote forefathers, surround myself with wives and concubines—perhaps somebody else's wife amongst the number—the law will take no notice of my conduct, if I only protest that I was exercising the just rights connected with my opinions? Again, I may be convinced that lawyers, demagogues, savants, and capitalists, add more to the sum total of human misery than all of them together, with their well-intentioned and combined efforts, have hitherto succeeded in subtracting from the great mass of wrong and sorrow—in fact, I might be a Socialist. Still, I might not be an advocate of dynamite, nor yet of poison, nor even of the fine-pointed stiletto; but dark hints might be thrown out, that there

are other means of gradually sweeping them away from off the face of the earth. Once start and bring home to the multitudes the conviction, that they may hold absolutely what opinions they like, and act upon them as they please, the keystone is struck out of the arch of civilization. We have only to adopt this maxim universally, and to act upon it, and our return to barbarism is inevitable. Verily did the Pope, if he erred at all, err on the side of moderation, when he condemned such a proposition as a *deliramentum*, "Abyssus abyssum invocat a voce cataractarum suarum."

Others, again, say: "We do not object to Mr. Bradlaugh's opinions" (Sir Wilfrid Lawson calls them his *religious* opinions, no doubt with his usual love of the ridiculous), "it is only the indecency and scurrility with which he has flaunted them before the public. He should be kept out of the House of Commons, not because of his Atheism, but because of the offensiveness of the manner with which he parades his opinions." Now this, surely, is very shallow logic. Decency

is, after all, but a relative term. It is but that form which others think proper. It varies according to circumstances, and of itself nothing can be predicated absolutely. If a Eurasian came into a London club-house dressed in a badju and pajamas, he would probably be excluded as indecently dressed ; but the same garments pass amongst gentlemen in an Indian bungalow. Is not decency often a matter of opinion and circumstances? It would be rather startling to see some ladies' evening dresses paraded in Rotten Row. Do not let us attempt, therefore, to make Decency a line of demarcation. We have surer ground to tread upon. We stand upon the firm ground of nature. The line must be drawn at blatant atheism and open blasphemy. The common sense of mankind condemns certain things as contrary to natural justice, contrary to mental rectitude. Here is the cardinal point: the certain knowledge of the existence of God. Admit it to be doubtful, and the whole superstructure of thought, of order, of law, totters upon its foundation and is broken into atoms.

One other objection: Even from the pious Christian standpoint there is much to be said against oaths. Mr. Bright puts the case thus: "On the question of oaths probably there is nothing in the New Testament more especially condemned and forbidden than oaths. To those who do not care about the New Testament this fact will be of no weight. The practice of swearing to the truth of anything makes two kinds of truth or truthfulness. If oaths are of any avail, by so much as they make truth more certain, by so much they lessen the value of any ordinary statement and diminish the probability of the truth. If ignorant persons are not sworn, they think they may tell lies with impunity, and their lying is made to a large extent blameless in their eyes. I think oaths and oathtaking have done more than any other thing to impair and destroy a regard to truth." Here is a strange anomaly; we have the New Testament brought in as a witness against the lawfulness of oaths, in spite of the universal custom of mankind, and the constant exegesis of all the

Churches excepting only the little modern sect of Quakers. I do not wish to speak disrespectfully, but it is likely that the Christianity of eighteen centuries and of many hundreds of millions should be wrong, and the Christianity of some isolated thousands right? Without the help of the principle of Authority, to clench an argument, it is doubtless vain and foolish to attempt to demonstrate the dogmas of Revelation; but when a man maintains that certain things are plainly, emphatically forbidden in the New Testament, it is somewhat confusing to turn to that same New Testament and to find them directly and most solemnly sanctioned. Every man who professes any form of Christianity has been taught from his youth upwards that profane, light, or trivial swearing is forbidden; for, as the learned Tillotson justly remarks, "there are none so nearly disposed to scoffing at religion as those who have accustomed themselves to swear on trifling occasions." In this sense, the Fathers of the Church, and the common sense of all men, have ever understood our

Saviour's authoritative words. In the song of Simeon (Luke i. 73) we find mention of "the oath which He sware to our father Abraham." If men may never lawfully swear, this was putting rather a dangerous precedent before them. I do not know what higher authority could be sought. Again, St. Peter did not think it required any explanation, when he reminded his hearers (Acts ii. 30) "that God had sworn with an oath to David." He knew well enough that to swear with an oath was known to be a righteous, and under certain circumstances a necessary act, part and parcel of human nature, an action meet and just, and as such not unworthy of the Incomprehensible All-perfect Nature, whose essence is to be the *actus purus*, action pure and simple. What do we read in the Book of Numbers? "If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word." Mr. Bright says this principle establishes two kinds of truth, one of which is a sort of permission to lie with impunity. 'Tis a pity Mr. Bright was

not present to inspire Moses when he wrote the Pentateuch. Whatever the Society of Friends may think, ours is the received interpretation of mankind generally. Most men are, possibly, more or less careless; they are not habitual liars. If they are, no doubt an oath will not very successfully hinder them. But there are some circumstances when the law takes cognizance of a lie, and the delinquent is punished for perjury. Does Mr. Bright wish to abolish the penalties attaching to perjury, as well as to knock down the barriers which still stand in the way of the professed Atheists finding their way into the Legislature? It is marvellous how sometimes even first-class intellects utterly fail to see things in their practical bearings. In concluding this part of my subject, I should like to call Mr. Bright's attention to a passage in St. Paul's Epistle to the Hebrews. I presume he allows this letter to be genuine, and to have deserved to have been bound up with the narratives and other letters commonly called the New Testament. "For men verily swear by the greater, and an oath

for confirmation is to them an end of strife." (Heb. vi. 16). Let it still be so to us. Let the oath for confirmation be to us an end of strife. But perhaps St. Paul had already corrupted the pure Gospel which is in Christ and according to nature, for in the very next verse we find him representing the inscrutable ways of Providence in this wise: "Wherein God, willing more abundantly to show unto the heirs of promise the immutability of His counsel, confirmed it by an oath . . . For when God made promise to Abraham, because He could swear by no greater, He sware by Himself" (Heb. vi. 13 *seq*).

"The object of the oath is to insure a truthful and *ex animo* profession of allegiance to the Sovereign." This proposition is only faulty. It should run thus: the object of the oath is to insure a truthful and *ex animo* profession of allegiance to the Sovereign, corroborated by the attestation of the Divine Being. This was the mind of those who framed the oath. Unless it is ascertained to be no longer the mind of the English people, why should it cease to be so now?

The common sense of mankind still stands by the principle laid down in the Mosaic dispensation, effete and shallow *literati* notwithstanding. "If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word." "Allegiance to the Sovereign," we are told, "is to be assumed as a matter of course in all members of the Legislature, loyal and disloyal alike." This looks tantamount, at least uncomfortably near, to this other proposition: Allegiance to the Sovereign may be dispensed with as a matter of course in all members of the Legislature, disloyal and loyal alike. Are we prepared for this? Some are Republicans, no doubt; but are we all in their following? Let us, as long as we are able to do so, bind their souls with a bond. If they should break their word, and we have done nothing to loosen the bond, we shall have had no part in the treason. Of course, if there is no treason to the Almighty, neither is there to the Queen. The Throne and the Altar will be buried together under the same heap of ruins. But is it possible

that we shall ever become a nation of godless, careless men? Is there any sane man who will seriously deny the evil of wickedness? If there be, let him turn himself inside out, instead of trying to turn the world upside down. With Ben Jonson, "I would now send him where they all should see, clear as the light his heart shine; where no man could be so wickedly, so fondly stupid; but should cry out, he saw, he touched, felt wickedness, and grasped it." But to bind men's souls with a bond is tyranny, contrary to the principle of religious liberty. Nay, to those who do not believe in the existence of their own immortal souls, we have only to say: Laugh at us; you know well enough we cannot bind that which does not exist. We cannot bind your souls if you have none.

Here we must pause to draw an inevitable conclusion. If a man refuse to swear, or cannot swear, or is not allowed to swear, because he recognises no Supreme Being, but claims, or is permitted to affirm solemnly on his own honour, as the highest and most sacred thing to which

he can be justly asked to appeal—then, to apply the reasoning of St. Paul, which reasoning he was inspired to reveal to us, is the absolute reason of the Omniscient, "Who, because He could swear by no greater, sware by himself," to pass the Affirmation Bill is to deify the atheist. It is of no use to quibble about words. This is the force of the deed. To allow a man to pose and *solemnly* (on his hypothesis, not ours) to appeal to his own honour, to corroborate his promise of allegiance, as the highest thing by which his veracity can be tested, is to allow a man to assert himself to be a being than which there is nothing more sacred in the Universe. And, as it is proposed to make this affirmation the legal condition of Mr. Bradlaugh's taking his seat in the House, the House of Commons will have deified Mr. Bradlaugh. Let him not swear at all, therefore, because he is unoathable. Let him not affirm, because his affirmation is blasphemy. Parallel to this line of argument is this other: "Whatsoever is not of faith is sin," Rom. xiv. 23; therefore, *à fortiori*, all that is of

positive unbelief is sin ; and *à fortissimo*, all that is of sin and pretends to solemnity is blasphemy. "Et nunc reges intelligite, erudimini qui judicatis terram."

We will now examine this question of religious liberty. It used to be said that religion was free when man could worship his Maker, each one in his own way: now we are to add, or deny Him, each one after his own fashion. Let us form clear ideas of Religion and Liberty—Religion, which receives its freedom of action from Liberty, and Liberty, which enables a man to practise Religion according to the dictates of reason. I do not touch upon the question of revealed religion, that system of thought, which the great Lord Chancellor, Sir Thomas Moore, called "the deepest and choicest piece of philosophy that is." What is religion? It is not sentiment, nor feeling, nor beautiful conceptions, nor soft and delicate aspirations, nor the sense of the beautiful, nor of the expedient. No, it is a plain hard thing—the dictate of reason binding a man by an intellectual

apprehension of truth, as to the direction he is to give to the course which he is conscious of being able freely to give, to the activity of his thoughts, his words, and his actions. It is the sense of *duty* in its highest relation, the conscious relation which the sound reason of man, instinctively, yet absolutely, in his clearest moments most incontrovertibly, feels, aye, knows, by a knowledge as clear as that of his own existence, to exist between his reason and the Absolute Reason, his will and the Absolute Will, his understanding and the Absolute Understanding, his finite being and the Infinite Being, his nothingness, yet real personality, and the Eternal, Incomprehensible "I am." As virtue signifies duty between man and man—morality, so is spiritual morality, duty between man and God—Religion. "He that is," speaks to us and to every one of us. There never was yet a man without some notion of conscience, which is at least the voice of the unknown God, unknown, perhaps, in his attributes, yet always knowable in his existence. The innate idea of being (*esse*)

which we all possess, and which experience modifies and substantializes in a thousand ways, according to every sensation which penetrates from without our persons through the senses, from within through the feelings, into the intellect, postulates, nay proves the reality of the visible material world, and with more certainty even, if that were possible, the reality of the invisible, immaterial world. But that which is immaterial, if real, must be spiritual. We can conceive no other forms of existence. Now matter, though real, is found to be, after all, a sort of *non-ens*; spirit is the more real *ens*, and the one ultimate necessary *ens*, the *ens absolutum*, being pure and simple: the only Being which is in every sense of the word what it is, and of whom only negative qualities are to be denied, whilst everything that is conceivable as positive must be predicated. In the grand old words of the inspired writer: "The wrath of God is revealed from heaven against all ungodliness and unrighteousness of men, who hold the truth in unrighteousness; because that which

may be known of God is manifest in them, for God hath shown it unto them. For the invisible things of Him from the creation of the world are clearly seen, being understood by the things that are made, even His eternal power and Godhead, so that they are without excuse; because when they knew God, they glorified him not as God, neither were thankful, but became vain in their imaginations, and their foolish heart was darkened. Professing themselves to be wise they became fools, and changed the glory of the incorruptible God into an image, made like to corruptible men, and to birds, and four-footed beasts, and creeping things. Wherefore, God also gave them up to uncleanness, through the lusts of their own hearts to dishonour their own bodies between themselves: who changed the truth of God into a lie, and worshipped and served the creature more than the creator, who is blessed for ever. Amen." I might have broken off this quotation from the Epistle to the Romans a little sooner, but it happens sometimes that the human mind is

carried irresistibly forwards. Granted premises, conclusions appear unbidden. The reader will pardon the allusion, but what is called the social evil is a great reality, the dark side of civilisation; and if some exalted minds are easily hoodwinked, the wise in their generation smile as they insidiously make their way. These words which I have just quoted were addressed to the heathen Romans some two thousand years ago. Might they not have been addressed by some earnest Divine, after the perusal of the "Fruits of Philosophy," to an assembly in Trafalgar Square?

To deny God, therefore, is not an act of reason. It is an act of ratiocination indeed; either of false reason, or of right reason reasoning upon false premises. It is therefore tainted with falsehood, which is stupidity if it be innocent, wickedness if it be done with full consciousness. But what is contrary to truth is contrary to nature, for truth is only the identity of the subjective personal apprehension and the objective outside order of existences—nature, τὸ πᾶν, all that is; in other words, creation and its

necessary cause, the Creator. But religion is the relation between man and his Creator, man's relation to truth viewed in its highest aspect. The man without religion, therefore, is without truth in its highest aspect, and consequently cannot reason according to nature in its untainted excellence. He is therefore unfit to legislate for those men who value nature in its integrity. The fault is not in the law which makes him incompetent to act, but in his incompetency to act according to the law. The law is good therefore. Let it stand.

Now what is Liberty? It is the outward and inward opportunity to think, to speak, and to act according to the dictate of right reason; to fulfil the desires of nature; to be, to be a man, and to live the life of a rational man. Where this opportunity is denied, whether from internal or external causes, the liberty of man is circumscribed. It is imperfect. It must be reformed. But Liberty is not the unrestrained licence to perform every freak of the imagination, every impulse of the will; otherwise, where

lunatics are kept apart and criminals imprisoned liberty could not flourish. Murder, theft, arson, are acts of nature, but they are acts not according to nature, and no sane thinker will say that the cause of true liberty suffers, if those who do such things are restrained in their actions. The same also is true of the penalties attaching to actions of a purely intellectual character, such as slander, insulting language, and what not besides. The liberty of one man is restrained, because otherwise the liberty of another would be injured; that other being hindered in the just exercise of his faculties according to nature, by the natural act of the transgressor. Some natural acts are so outrageous as to be called unnatural. Liberty, therefore, is only concerned with the just rights of man, with the dictates of reason acting according to right reason. To apply this reasoning. By my hypothesis the great majority of Englishmen being Christians (Jews and Mahommedans stand on the same ground) they know that it is an abuse of reason that makes a man profess Atheism. It is an

act of nature, but not according to nature. In the Atheist the light of reason is darkened; he cannot therefore see with the fulness of natural light requisite to enable him to perform the functions of legislating for the welfare of his fellow men. Therefore, it is not persecution, but the exercise of a most just and salutary right, if he be disqualified from attending Parliament. If a constituency is obstinate, and refuses to elect a man who, according to law, is able to take his seat, it must suffer the consequences of its own perversity. One constituency may not override the will of the whole nation. As long as the nation is sound, it will cut off a rotten member. If ever the whole nation become corrupted, it will surely die. But reason and experience are given to man to battle against the disturbing forces in nature, so that life and health and beauty may contribute to the attainable maximum of human prosperity and happiness. Away, then, with the sophistry, that because the nation has committed itself to the principle of complete and perfect religious

equality and liberty, it is unable to guard itself against the influence and authority of those who openly profess irreligion and blasphemy. Experience shows that Atheism soon becomes aggressive; then nature, which will not work except according to the true laws of nature, is swift to be revenged, and men who carry Liberty on their banners are found to be the advocates of all forms of intolerance and persecution. Look over the water at poor distracted France. To sum up, then, in a few words this part of my subject: To stop or to hinder the evil-doer is to prosecute; to hinder or arrest the exercise of just rights, that is the real nature of man, is to persecute. The common sense of the country is not to be fooled out of its sense of right and wrong. If every conceivable interest is to be represented in Parliament, why not at once the criminal interest? There is a class commonly called the criminal class, but we do not think it the best judge of its own true interests. Does any real statesman suppose that society can long flourish on the basis of Socialism and Atheism?

Whatever some few may think, we, who know better, will stand to our guns, and do what we can to arrest the progress of destruction. Some will assist without knowing it, and it is a thing most grievous to think of. Others hesitate, and are not yet clear how to act. I trust that no party ties will be used as levers to cramp and cripple that mental and moral freedom which our most distinguished statesman has hitherto appeared to hold sacred.

There is another argument, and it is the last. It requires careful consideration, for it has been successfully used to facilitate the introduction of the Bill. It seems to have great weight with some in the legal profession, and is based upon an inconsistency which is said to have been established by the present anomalous condition of the law. "To allow a man to affirm in a court of law, and to refuse him permission to affirm on taking his seat in Parliament, is so inconsistent as to be absurd."

Now, first of all, to examine into the nature, functions, and object of the courts of law. An

exhaustive treatise will not be expected. It will be sufficient to indicate in outline the knowledge and train of thought which I wish to set in motion. My object is to put a little logical pressure upon convictions, I should think it impertinent to doubt it, already more or less fully established. What, then, are the Courts of Law? They are that institution of civilised communities by which justice between man and man is secured. They are the engine, the instrument, so to speak, by which the law acts. The law officers are the organic principle, the motive power. Witnesses are but a part of the instrumentality, as it were the cogs or minor wheels, by which the law-engine works. But for the right application of abstract law, a truthful and complete knowledge of the facts of each individual case is requisite. Therefore the State has a right to search and obtain true witness by every means in its power. Consequently it must extract from every citizen who may be concerned the knowledge he happens to possess. To men who believe in the Divine and Omni-

potent guardian of Truth and Avenger of Falsehood, to put them under oath is a safeguard in obtaining from them what is really in their minds, especially when we consider that a falsehood is under these circumstances punishable as a crime—perjury. To attempt to put Atheists on their oath would be as absurd as it would be useless. It would not add to their sense of responsibility. They would simply be going through a form which conveyed no real meaning to their minds. But that is no reason why Society should not force them to do their duty to their fellow men, and unearth that knowledge which is stored away in the hiding-holes of their memories. If they lie, and are found out, they will be punished as if they had committed perjury; although it is clear that if a man by the right use of reason could be an Atheist, he would be incapable of the crime of perjury. Neither could such a man really be guilty of blasphemy. But the law of this country does not act upon this hypothesis. Neither could such men rationally curse and swear; but as a

matter of fact they do, and it requires but the sharpness of a child to know that they attach a very definite meaning to what they say. On the other hand, it is not to be denied that an Atheist is an improper person to be a judge, although his being an Atheist does not necessarily incapacitate him from administering the law justly. The law is given to him, the facts and circumstances are presented before him. By an intellectual act he fits in the law with the facts, and, supposing him to be honest, the decision follows of itself with almost mathematical precision. The judge may be biassed by his private opinions, but since he merely applies the instruments, and sets the machinery in motion, over which he has no control, he is also merely one of the wheels or cogs, or, if you like, the steam by which the law-machine works. But in the case of the legislator the circumstances are *toto cœlo* different. There is not even an analogy; or, if there is, it is not between the law officer or the witness and the member of Parliament, but between the law and

the legislator. What turns out justice from the law machinery? Surely the law. What is the object of the Law Courts? Justice. What procures justice? The law. The law, therefore, is the active agent, the chief factor in the judicial process. What turns out laws from the legislative machinery? The legislator. What makes the legislator? The opinions he holds, his mind, his will, his personality, he himself put into that position by the will of the constituency. What is the object of the legislature? Law. Who makes the law? The legislator. What makes the law? The Aye or No, the *volo*, *nolo*, the *I will* or *I will not* of the legislator. The legislator is therefore the active agent, the chief factor in the legislative process. An incompetent legislator may be compared therefore with an unjust law. He is sure to do harm. Thus it is clear that the true comparison between the Courts of Law and the Houses of Parliament would be between the law and the legislator, and not between the judge and the legislator, much less between the witness and

the legislator. The superficial mind, however, compares the men of one with the men of the other, regardless of the functions they perform under the different circumstances; hence the *prima facie* plausibility of this silly argument. And now for a corollary. A law which is contrary to nature, that is, a positive human law which is not in harmony with the innate laws of nature—that is, which is contrary to natural justice—cannot produce justice, which is the harmony of all laws. But as the will of the legislator is the ultimate factor in the making of a law, and the will of an Atheist is decided by his intellect, which is admitted to be abnormal, he cannot legislate in harmony with nature in its integrity. This is the knowledge which justifies us. We will not have the Atheist to make laws for us. He is an abnormal man.

This determination brings us back to the issue under debate, the Attorney General's Bill. We will examine its expediency, and our work is done. With regard to expediency, let us preface one remark. The utilitarian theory is of all

doctrines the most uncertain. We cannot always tell how things will work. In all concrete matters experience is the only sure guide; where something new is on trial, the experiment often turns out contrary to the most carefully balanced calculations. *Quod justum non quod utile.* What is just? That which is according to the light of reason and the voice of conscience. It is to this we appeal. Cardinal Newman in one of his fragmentary poems says of the Apostles of old, "They argued not, but preached, and conscience did the rest." If to expose fallacies and to defend natural justice, the *prisca virtus Romanorum*, is to preach, we will preach. Shall error alone stalk abroad, and be heard all the day long?

But, it will be said, expediency is only another name for common ordinary prudence. It is one of the cardinal virtues, the formal principle of political sagacity. It is the gift of all others which should determine all human action, especially that most important of all actions, the very highly privileged and far-reaching

office of legislation. Most true and philosophical reflection! It is just the expediency of such a Bill which has to be proved. The mere assertion that a thing is prudent does not make it so. We can use many arguments, deductions, comparisons, analogies, combinations. They assist us in forming an opinion, but they never establish a thing future as certain. "It is expedient that one man should die for the people," was confidently said of old. One man did die for the people, and that man was God. It had been written, "Behold how the just man dieth, for no man understandeth it in his heart." In the full light of eighteen subsequent centuries, of the history of the decline and fall of the Roman Empire, of the formation of Christendom, of the discovery of the new world, of the intricate stage of civilization at which we have arrived, of the wonderful discoveries in the physical order which we witness, we can form some estimate of the sense in which that death was expedient. I use this sacred subject in illustration, because I know it will recall a train of thought that will

be approached by most Englishmen with that reverence which the memory demands. Religious thought has been forced upon us.

"The Bill will pass in the end, therefore it is inexpedient to oppose it." That is begging the question. It depends upon the will of Parliament and the force of public opinion. Some of us think it a bad Bill. We shall oppose it by every reasonable and just means in our power. If it ultimately becomes law, we have had no part in it. If ten just men had been found there, Sodom and Gomorrah had not been destroyed. We need not yet despair of the Commonwealth. The Conservative party have only to make a formidable stand; in the House of Lords their opposition will be effectual. Such a state of things, it is argued, would bring about a futile and mischievous struggle between the two Houses. It would hasten the downfall of the Lords. This sounds more like a threat than an argument. But I ask, what is the use of the House of Lords, if it is to become merely a registering office for signing and sealing the ill-

considered and untimely legislation of the Commons? The *raison d'être* of an Upper Senate is, that it consists of independent gentlemen, whose position is unassailable, because it is hereditary; whose comparative independence of social ambition and personal gain is the guarantee of their honest, deliberate, unhampered judgment. To beat back the tide of infidelity will not shorten the life of this august body. If it does, what then? To die in a good cause is noble; is heroic. To cut one's own throat, or to hang oneself with a halter, is either the cowardice of despair, or the courage of imbecility. The House of Lords will not long survive the establishment of the principle of irreligion in the Legislature.

"But there are Atheists already in the two Houses of Parliament." If there are, they have not yet proved it to the public. Anyhow, their atheism has as yet no legal recognition or sanction. *De internis non judicat lex.* If they are godless within, they must put on the semblance of the fear of God. If they are sepulchres

spiritually speaking, they must at least be whitened sepulchres. This is the law of the land. Because the conduct of some men will not stand the full blaze of daylight, is that a reason why they should not take shelter under the mantle of respectability? Is the Law and Constitution of the land to suffer, because some men do not come up to the standard required of them? because they are not true to the law? because they are disloyal to the truth?

"By the present state of things the junior member for Northampton poses as a martyr and thrusts himself into notoriety." The junior member for Northampton is only a martyr in the eyes of very blind persons. Are Roman Catholics still martyrs, because they cannot succeed to the Throne, or accept the high office of Chancellor? They are subject to a possible civil disability, that is all. If their principles are inconsistent with good government and the welfare of mankind, let them remain so. If not, put an end to these disabilities. To suppose that men cannot establish what principles are

constructive, and those which lead to disaster, is to deny reason. A man of ability, who is so determined, can always make himself the centre of discussion. If he is beaten on one point, he retires to another, and fights again from the ground he has last taken up. When was a city ever lost by beating back the enemy? To drive the besieging party further away from the citadel was never a step towards capitulation. Complete ascendency must be obtained step by step. A succession of defeats, however, ends in total ruin.

"But we want to get rid of the religious difficulty." Vain delusion, it is impossible. There will always be a religious difficulty as long as men disagree about religion, until they adopt the same creed, or until they all cut the subject altogether. How about the education question? Will Atheists in Parliament vote for the voluntary or compulsory system? Will they vote for equal distribution of the rates, or for the Board system monopoly? We know too well upon which side true liberality is found.

Then there is the question of disestablishment—and conservative Christian men are asked to play into the hands of those who make no secret of what they would do with the churches, if they were to get the chance! It is time to unmask the infatuated policy of always yielding to Radical aggression.

In conclusion, I would call attention to the transcendental basis upon which this controversy really rests. It depends upon the point of view from which we regard human life, its capacity for joy and sorrow, pleasure and pain. The solution of the problem is determined by its final end.

Man is living either in a state of nature, or of nature fallen, or of nature redeemed. If human nature is not fallen, it cannot be redeemed. If nature is neither fallen nor redeemed, it is in its first integrity. Whether its inherent law be progress or decay, by that law it is regulated, and there is nothing more to be said or done. So of the state of public law. It must be in harmony, or in contradiction, with one of these different views of life. If it agrees with the

doctrine of Redeemed Nature, it will join hands with the polity which teaches the truths of Redemption, that polity whose *raison d'être* is to hand down the memory and benefits of the Atonement. This is union of Church and State. It is Toryism. If the public law claims to be based upon the integrity of Nature, it will obey the universal voice of mankind; it will recognise the Supreme Being as the author of Life and Law. It must be Theistic. It cleaves to the Divine Sanction. It is Conservatism. If, on the other hand, it claims no theological basis, but professes to be the realisation of the theory of the ultimate perfectibility of the human race, the philosophy of Evolution, we recognise Fallen Nature established as the principle of the new departure. It is Radicalism, *vi naturæ lapsæ*, the maximum of misery, the minimum of happiness to the greatest number. In the old world, albeit imperfectly, the Theistic theory was worked out; the essence of primitive truth was preserved, though overgrown with heathen mythologies. In the middle ages, the identifica-

tion of Church and State created Christendom and its natural heir, modern civilisation. What is to be the future? The present stage of Liberalism cannot last. We are a generation of political spendthrifts, living upon the institutions which our forefathers built up with much cost and self-sacrifice, and scattering their principles to the winds. It is a state of compromise, the dissolving view of life and its graver problems. What next, therefore? Is the public law to be established on that negation, which the fool hath uttered in his heart—*Non est Deus.* Is this the path of progress? "Abandon hope all ye who enter here." In strict logic, there are in politics only these two positions: Radicalism—Reason, the sole standard of criticism, rejecting the history of the past, absorbed in the idea of the future; and Toryism—Reason, resting upon the traditions of mankind, welcoming authority and its unbroken chain of teaching, which reaches back far, far into the twilight of the origin of our species, even to that fatal day when—

Earth trembled from her entrails as again
In pangs; and Nature gave a second groan;
Sky loured, and muttering thunder some sad drops
Wept at completing of the mortal sin original.

If any have leisure to pursue this important study, they will find the subject carefully treated, with marked ability and diligence, in Lord Arundel of Wardour's book on "*Tradition*, principally with reference to Mythology and the Law of Nations." It is the philosophy of Conservatism; it leads up to Toryism; Toryism to social peace and national honour. On the other hand, Liberalism leads down to Radicalism, Radicalism to Socialism and anarchy. The Tory mental attitude has founded religions, established empires, and covered the earth with the monuments of human piety and earthly glory. The Radical frame of mind has created revolutions, upset dynasties, increased discontent without bringing relief, and left its mark in the smouldering embers of blackened ruins. But of much speaking there is no end. With the first and greatest of Law-givers we conclude

this chapter in a discussion which will not end as long as man is upon the earth. "For this commandment which I command thee this day, it is not hidden from thee; neither is it far off. It is not in heaven that thou shouldst say, Who shall go up for us to heaven and bring it unto us, that we may hear it and do it? Neither is it beyond the sea that thou shouldst say, Who shall go over the sea for us and bring it unto us, that we may hear it and do it? But the word is very nigh unto thee, in thy mouth, and in thy heart, that thou mayest do it. See, I have set before thee this day life and good, and death and evil. . . . Therefore choose life, that both thou and thy seed may live." (Deut. xxx. 11.)

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THE

AFFIRMATION BILL

Reasons why it cannot be Permitted to become the Law of the Land considered and stated.

IN A PUBLIC LETTER ADDRESSED

TO THE

RIGHT HON. THE SPEAKER OF THE HOUSE OF COMMONS, AND TO ALL ITS MEMBERS.

BY

TERTULLIAN.

"Justum et tenacem proposite virum
Non civium ardor prava jubentium,
Non vultus instantis tyranni,
Mente quatit solidâ.
HOR. III. *Odes* iii. I.

LONDON:
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1883.